

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

KEITH D. GREENWOOD,

Petitioner, : Case No. 3:05-cv-078
-vs- : District Judge Thomas M. Rose
Chief Magistrate Judge Michael R. Merz

STATE OF OHIO,

Respondent.

ORDER ADOPTING REPORT AND RECOMMENDATIONS

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. #14), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed¹ thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b), as extended on Petitioner's Motion, expired on February 9, 2006, hereby ADOPTS said Report and Recommendations.

It is therefore ORDERED that the Petition for Writ of Habeas Corpus be dismissed with prejudice. Because reasonable jurists would not disagree with the conclusions reached by this Court, Petitioner is denied leave to appeal *in forma pauperis* and any requested certificate of appealability.

February 14, 2006.

s/Thomas M. Rose

Thomas M. Rose
United States District Judge

¹ In lieu of objections, Petitioner filed a motion to amend which the Magistrate Judge has denied.